

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

PLAINTIFF : CIVIL ACTION  
 :  
 v. :  
 :  
 DEFENDANT : NO.

**ORDER**

AND NOW, this            day of            , 2008, this matter having been referred by the Honorable (Judge) for a settlement conference, IT IS HEREBY ORDERED that a settlement conference will be held on **(date and time)**, before the undersigned in Courtroom 6 of the Robert N.C. Nix Building at 9th and Market Streets, Philadelphia, Pennsylvania.

The senior attorney in charge of the matter for each of the parties, **and the parties themselves**, or if a corporation, an official of the corporation with full settlement authority are **required to attend the conference in person**. The Court will grant an exception to this requirement **only** upon prior notice and a showing of good cause and exceptional circumstances.

Each party is directed to submit to Chambers (via facsimile at 267-299-5061) a **confidential** settlement memorandum of no more than four typed double-spaced pages, setting out the following in order:

1. The names, telephone numbers, facsimile numbers and e-mail addresses of counsel to appear at the conference on behalf of the party;
2. The name of the party or the party's representative, including insurer if applicable (with title or position) to appear at the conference;
3. The status of any pending motions;
4. The status of discovery;
5. A brief statement of the elements and manner of proof of the party's claims and/or defenses;
6. A brief statement of the party's damages and manner of proof of their damages or, as appropriate, its position on damages claimed by any opposing party;
7. The last demand and/or offer; and
8. Any other matters that counsel believe may be relevant to settlement discussions.

Counsel are directed to fax the position paper to Chambers not later than **four** business days prior to the date of the conference. The document is **not** to be shared with opposing counsel nor filed of record. This is for Judge Hey's eyes only. Counsel are encouraged to attach particularly relevant trial exhibits to their submissions. If such exhibits are lengthy, the relevant portions should be delineated.

BY THE COURT:

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ELIZABETH T. HEY  
UNITED STATES MAGISTRATE JUDGE